

Notice of Allowability

Application No.

10/044,773

Examiner

Glenda P. Rodriguez

Applicant(s)

GILL ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/23/2004.
2. ☒ The allowed claim(s) is/are 1-6, 9-17, 21-26, 28 and 29.
3. ☒ The drawings filed on 31 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Thomas Saur on 1/12/2005.

Please amend the following:

In Paper filed by the Applicant on 9/23/2004, in Claim 1, instead of having the order:

"Disregarding the writing error when the writing error is indicated by the data read back check and the span of the writing error is less than a first threshold wherein the first threshold is based on the span of the writing error and capability of error correction information to recover mis-recorded data;

Suspending the write current in response to the writing error while allowing the magnetic tape to continue moving when the writing error is indicated by the write head tracking information;"

Re-write these steps of Claim 1 in the following order:

"Suspending the write current in response to the writing error while allowing the magnetic tape to continue moving when the writing error is indicated by the write head tracking information;

Disregarding the writing error when the writing error is indicated by the data read back check and the span of the writing error is less than a first threshold wherein the first threshold is

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based on the span of the writing error and capability of error correction information to recover mis-recorded data;”

Also in Claim 11, instead of having:

“... wherein the processor disregards the writing error when the writing error is indicated by the data read back check and the span of the writing error is less than a first threshold wherein the first threshold is based on the span of the writing error and capability of error correction information to recover mis-recorded data, suspends write current in response to the writing error while allowing the magnetic tape to continue moving when the writing error is indicated by the write head tracking signal relative to the tracking information...”

Re-write as the following:

“...suspends write current in response to the writing error while allowing the magnetic tape to continue moving when the writing error is indicated by the write head tracking signal relative to the tracking information, wherein the processor disregards the writing error when the writing error is indicated by the data read back check and the span of the writing error is less than a first threshold wherein the first threshold is based on the span of the writing error and capability of error correction information to recover mis-recorded data....”

REASONS FOR ALLOWANCE

The following is an examiner’s statement of reasons for allowance:

Regarding Claims 1 and 11, the primary reason for allowance is the inclusion of the limitation wherein disregarding the writing error when the writing error is indicated by the data read back check and the span of the writing error is less than a first threshold wherein the first threshold is based on the span of the writing error and capability of error correction information to recover

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mis-recorded data; suspending the write current in response to the writing error while allowing the magnetic tape to continue moving when the writing error is indicated by the write head tracking information.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenda P. Rodriguez whose telephone number is (703) 305-8411. The examiner can normally be reached on Monday thru Thursday: 7:00-5:00; alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on (703) 305-4040. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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